



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

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TUESDAY, February 6, 2001

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The Chief Clerk makes the following entries under the above date:

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 5** offered by Representative Staskunas.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 00-048**

Relating to delegation of duties by a pharmacist.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, January 26, 2001.  
To committee on **Health**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-108**

Relating to the state directory of new hires.  
Submitted by Department of Workforce Development.  
Report received from Agency, January 30, 2001.  
To committee on **Labor and Workforce Development**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-115**

Relating to mines, pits and quarries.  
Submitted by Department of Commerce.  
Report received from Agency, January 26, 2001.  
To committee on **Labor and Workforce Development**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-124**

Relating to continuing education requirements.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, January 25, 2001.  
To committee on **Health**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-142**

Relating to home inspector examination and continuing education requirements.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, January 26, 2001.  
To committee on **Housing**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-144**

Relating to the computerized veterinary examination.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, January 25, 2001.  
To committee on **Agriculture**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-154**

Relating to deer hunting and the wildlife damage abatement and claims program.  
Submitted by Department of Natural Resources.  
Report received from Agency, January 30, 2001.  
To committee on **Natural Resources**.  
Referred on February 5, 2001.

#### **Assembly Clearinghouse Rule 00-156**

Relating to supervising pharmacy interns.  
Submitted by Department of Regulation and Licensing.  
Report received from Agency, January 26, 2001.  
To committee on **Health**.  
Referred on February 5, 2001.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Resolution 7**

Relating to: calling upon the U.S. Congress to investigate the attack on the U.S.S. Liberty.  
By Representatives Schneider, Ladwig, Albers and Boyle.  
To committee on **Veterans and Military Affairs**.

#### **Assembly Joint Resolution 22**

Relating to: appointment of county officers and vacancies in county and judicial circuit offices (first consideration).

By Representatives Ziegelbauer, F. Lasee, J. Lehman, Pettis, Ryba and Urban; cosponsored by Senator Farrow.  
To committee on **Campaigns and Elections**.

#### **Assembly Joint Resolution 23**

Relating to: creating an independent right of privacy of individuals (first consideration).

By Representatives Schneider, Carpenter, Gronemus, Hahn, Boyle and Williams; cosponsored by Senators Erpenbach and Huelsman.

To committee on **Personal Privacy**.

#### **Assembly Joint Resolution 24**

Relating to: 4-year terms of office for clerks of circuit court (first consideration).

By Representatives Ryba, Albers, Balow, Bock, Groneman, Hahn, Jeskewitz, Krawczyk, Ladwig, F. Lasee, M. Lehman, Lippert, Musser, Olsen, Pettis, Skindrud, Sykora, Townsend, Urban, Walker and Williams; cosponsored by Senators Breske, Darling, Farrow, Grobschmidt, Huelsman, A. Lasee, Moen, Roessler and Schultz.

To committee on **Campaigns and Elections**.

#### **Assembly Bill 94**

Relating to: the occupational tax on intoxicating liquor and wine that is brought into this state from a foreign country.

By Representatives Nass, Musser, Suder, Kreibich, Gundrum, Gunderson, Owens, Turner, Ladwig, Albers, Grothman, Pettis, Gronemus, Jensen and F. Lasee; cosponsored by Senator Darling.

To committee on **State Affairs**.

To joint survey committee on **Tax Exemptions**.

#### **Assembly Bill 95**

Relating to: prohibiting the use of cyanide in metallic mining.

By Representatives Black, Huber, J. Lehman, Balow, Berceau, Carpenter, Cullen, Bock, La Fave, Lassa, Miller, Plouff, Pohan, Richards, Young and Morris-Tatum; cosponsored by Senators Decker, Baumgart, Burke and Risser.

To committee on **Environment**.

#### **Assembly Bill 96**

Relating to: physical health examinations of pupils.

By Representatives Rhoades, Gronemus, Kestell, Huebsch, Gundrum, M. Lehman, Duff, Ainsworth, Ladwig, Albers, Krawczyk, Loeffelholz, Friske, Kedzie, Urban, McCormick, Jeskewitz, Olsen, Gunderson, Hundertmark, Owens, Williams, Grothman, D. Meyer, La Fave, Pettis, Nass, Vrakas, Powers and Leibham; cosponsored by Senators Darling, Roessler, Zien and Schultz.

To committee on **Children and Families**.

#### **Assembly Bill 97**

Relating to: a sales tax exemption for necessities.

By Representatives Carpenter, Sinicki, Ladwig, Boyle, Reynolds, Black, F. Lasee, Wasserman, Young, Lassa, Williams, Coggs, Plouff, Berceau, Riley, Gronemus and Ryba; cosponsored by Senators Burke, Baumgart, Moore and Plache.

To joint survey committee on **Tax Exemptions**.

#### **Assembly Bill 98**

Relating to: fishing with a bow and arrow near a roadway.

By Representatives Wood, Powers, Gronemus, Musser, Grothman, Kedzie, Gunderson, Lassa and Ott.

To committee on **Natural Resources**.

#### **Assembly Bill 99**

Relating to: grants for after-school care programs and making appropriations.

By Representatives Lassa, Olsen, Wade, Huebsch, Carpenter, Musser, Krawczyk, Bock, J. Lehman, Lippert,

Gronemus, Balow, Plouff, Young, Williams, Powers, Miller, Urban, Starzyk, Plale, Huber, Hebl, Hundertmark, Ott, Riley, Townsend, Schooff, Hahn, Sinicki, Shilling, Berceau, Coggs and Schneider; cosponsored by Senators Shibilski, Grobschmidt, Farrow, Robson, Darling, Rosenzweig and Roessler.

To committee on **Education**.

#### **Assembly Bill 100**

Relating to: financial assistance for an air carrier that operates from a hub facility, creating an airport financing committee, granting rule-making authority, and making appropriations.

By Representatives Stone, Riley, Suder, Balow, Vrakas and Ladwig; cosponsored by Senators Grobschmidt and Baumgart.

To committee on **Transportation**.

#### **Assembly Bill 101**

Relating to: a property tax exemption for an air carrier that operates from a hub facility, creating an airport financing committee, granting rule-making authority and making appropriations.

By Representatives Stone, Plale, Jensen, Riley, Kreibich, Staskunas, Gard, Balow, Duff, La Fave, Walker, Ziegelbauer, Nass, Williams, Suder, Bock, Huebsch, Vrakas, Ladwig, Albers, Kedzie, Jeskewitz, Gunderson, Sykora and Townsend; cosponsored by Senators Grobschmidt, Farrow, Baumgart, Roessler, Burke, Darling, Huelsman, Rosenzweig and Schultz.

To committee on **Transportation**.

To joint survey committee on **Tax Exemptions**.

#### **Assembly Bill 102**

Relating to: motorcycle stop lamps.

By Representatives Powers, Freese, Williams and Vrakas; cosponsored by Senator Schultz.

To committee on **Highway Safety**.

#### **Assembly Bill 103**

Relating to: creating a nonrefundable individual income tax credit for certain married couples who have dependent children.

By Representatives Pettis, Krawczyk, Seratti, McCormick, Gronemus, Townsend, Kedzie, Musser, Ladwig, Ainsworth, Sykora, Gunderson, Reynolds, F. Lasee, Albers, Grothman, Gundrum, Nass, Kestell, Leibham, Jeskewitz, Hundertmark, Freese, Skindrud and Vrakas; cosponsored by Senators Roessler, Lazich and Darling.

To committee on **Ways and Means**.

#### **Assembly Bill 104**

Relating to: allowing a "Class A" licensee to provide wine free of charge for consumption on the licensee's premises.

By Representatives Pettis, Walker, Duff, J. Lehman, Gronemus, Krawczyk, Jeskewitz, Gunderson, Grothman, Albers, Sykora, D. Meyer, Townsend, Vrakas, McCormick and Petrowski; cosponsored by Senators Breske, Darling, Huelsman, Rosenzweig and Zien.

To committee on **State Affairs**.

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## COMMITTEE REPORTS

The committee on **Campaigns and Elections** reports and recommends:

### Assembly Bill 10

Relating to: the registration of electors and the determination of eligible electors in certain municipalities on election day.

Passage:

Ayes: 4 – Representatives Freese, Ladwig, Stone and J. Fitzgerald.

Noes: 2 – Representatives Travis and Pocan.

To committee on **Rules**.

### Assembly Bill 11

Relating to: absentee voting.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Freese, Ladwig, Stone and J. Fitzgerald.

Noes: 2 – Representatives Travis and Pocan.

To committee on **Rules**.

### Assembly Bill 12

Relating to: requiring individuals to present identification in order to vote at a polling place.

Assembly substitute amendment 1 adoption:

Ayes: 4 – Representatives Freese, Ladwig, Stone and J. Fitzgerald.

Noes: 2 – Representatives Travis and Pocan.

Passage as amended:

Ayes: 4 – Representatives Freese, Ladwig, Stone and J. Fitzgerald.

Noes: 2 – Representatives Travis and Pocan.

To committee on **Rules**.

### Assembly Bill 39

Relating to: requiring the elections board to make recommendations regarding statewide voter registration and maintenance of a statewide voter registration list.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

To committee on **Rules**.

### Assembly Bill 40

Relating to: requiring the elections board to make recommendations relating to the training and certification of election officials.

Assembly amendment 1 to Assembly amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly amendment 1 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly amendment 2 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly amendment 3 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Assembly amendment 4 adoption:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Freese, Ladwig, Stone, J. Fitzgerald, Travis and Pocan.

Noes: 0.

To committee on **Rules**.

*STEPHEN FREESE*

Chairperson

Committee on Campaigns and Elections

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## COMMUNICATIONS

State of Wisconsin  
Revisor of Statutes Bureau  
Madison

**DATE:** February 1, 2001

**TO:** John A. Scocos  
Assembly Chief Clerk

Donald J. Schneider  
Senate Chief Clerk

**FROM:** Gary L. Poulson  
Deputy Revisor of Statutes

State of Wisconsin  
Department of Corrections  
Madison

**SUBJECT:** Rules published in the January 31, 2001,  
Wisconsin Administrative [Register, No. 541](#).

January 29, 2001

The following rules have been published:

- Clearinghouse Rule [99-157](#) effective 2-1-2001
- Clearinghouse Rule [00-054](#) effective 2-1-2001
- Clearinghouse Rule [00-059](#) effective 2-1-2001
- Clearinghouse Rule [00-060](#) effective 2-1-2001
- Clearinghouse Rule [00-066](#) effective 2-1-2001
- Clearinghouse Rule [00-087](#) effective 2-1-2001
- Clearinghouse Rule [00-090](#) effective 2-1-2001
- Clearinghouse Rule [00-093](#) effective 2-1-2001
- Clearinghouse Rule [00-096](#) effective 2-1-2001
- Clearinghouse Rule [00-100](#) effective 2-1-2001
- Clearinghouse Rule [00-101](#) effective 2-1-2001
- Clearinghouse Rule [00-104](#) effective 2-1-2001
- Clearinghouse Rule [00-105](#) effective 2-1-2001
- Clearinghouse Rule [00-106](#) effective 2-1-2001
- Clearinghouse Rule [00-120](#) effective 2-1-2001
- Clearinghouse Rule [00-121](#) effective 2-1-2001
- Clearinghouse Rule [00-128](#) effective 2-1-2001
- Clearinghouse Rule [00-129](#) effective 2-1-2001
- Clearinghouse Rule [00-137](#) effective 2-1-2001
- Clearinghouse Rule [00-141](#) effective 2-1-2001

To the Honorable, the Legislature:

The following information is provided for your consideration and review pursuant to 301.03 (6m), Wis. Stats. The figures below cover the period from January 1, 2000 to December 31, 2000.

If you have any questions or need additional information, please let me know.

Sincerely,  
*JON E. LITSCHER*  
Secretary

Referred to committee on **Corrections and the Courts**.

State of Wisconsin  
Department of Administration  
Madison

January 29, 2001

To the Honorable, the Legislature:

This report is transmitted as required by sec. 20.002(11)(f), Wis. Stats. (for distribution to the appropriate standing committees under sec. 13.172(3), Wis. Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of December 2000.

On December 1, 2000 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$9 thousand. This shortfall increased to -\$11 thousand on December 19, 2000 and continued into the month of January. As of the date of this letter, it is expected to be resolved soon. This shortfall is due to the timing of revenues.

On December 1, 2000 the **Utility Public Benefits Fund** balance was -\$3.63 million. This shortfall decreased to -\$1.36 million on December 6, 2000, increased to -\$2.16 million on December 19, to -\$3.18 million on December 29, 2000, and continued into the month of January. As of the date of this letter, it is expected to be resolved soon. This shortfall is due to the timing of revenues.

On December 4, 2000 the **General Fund** balance was -\$73.53 million. This shortfall increased to -\$123.27 million on December 7, 2000, decreased to -\$60.57 million on December 14, 2000, and continued until December 18, 2000 when the balance reached \$98.94 million. This shortfall was due to the timing of revenues.

The Wisconsin Health Education Loan Repayment Fund, Utility Public Benefits Fund, and General Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the Funds available for interfund borrowing.

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Health and Family Services  
Madison

January 26, 2001

To the Honorable, the Assembly:

Pursuant to s. [46.76\(4\)](#), the Department of Health and Family Services is required to develop an annual plan that documents areas of hunger and populations experiencing hunger within this state and to recommend strategies for state and federal policy changes to address hunger in these areas. The statute further indicates that this plan be submitted by December 31, annually to the Governor, Superintendent of Public Instruction, and the appropriate standing committees under s. [13.172\(3\)](#).

The enclosed State of Hunger and Food Security in Wisconsin, Annual Report for 2000 is being submitted to you in accordance with this requirement. Please contact my office if you have any questions.

Sincerely,  
*JOE LEEAN*  
Secretary

Referred to committee on **Children and Families**.

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The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,  
*GEORGE LIGHTBOURN*  
Secretary

Referred to committee on **Ways and Means**.

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## AGENCY REPORTS

Southeast Wisconsin  
Professional Baseball Park District  
Milwaukee

January 18, 2001

To the Honorable, the Legislature:

Enclosed please find the Miller Park Monthly Progress Report for the month of December 2000 for your review and consideration. As the enclosed report indicates, Miller Park continues to develop with the District Board's objectives of building the premier baseball facility in the country; scheduled for play on Opening Day 2001; within budget; and with meaningful community participation.

As always, please feel free to contact me if you should have any questions or comments regarding the enclosed report.

Very truly yours,  
*MICHAEL R. DUCKETT, P.E., R.L.S.*  
Executive Director

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State of Wisconsin  
Legislative Audit Bureau  
Madison

January 30, 2001

To the Honorable, the Legislature:

We have completed a financial audit of WHA Television, as requested by the University of Wisconsin-Extension to fulfill audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

WHA Television is licensed to the Board of Regents of the University of Wisconsin System and is operated by the University of Wisconsin-Extension. WHA Television received over \$14.3 million in support and revenue during fiscal year 1999-2000, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains WHA Television's financial statements and related notes for the period July 1, 1999 through June 30, 2000. We were able to issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by University of Wisconsin-Extension staff during the audit.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor

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State of Wisconsin  
Legislative Audit Bureau  
Madison

January 30, 2001

To the Honorable, the Legislature:

We have completed a financial audit of WHA Radio, as requested by the University of Wisconsin-Extension to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

WHA Radio is licensed to the Board of Regents of the University of Wisconsin System and is operated by the University of Wisconsin-Extension. WHA Radio received over \$7.3 million in support and revenue during fiscal year 1999-2000, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains WHA Radio's financial statements and related notes for the period July 1, 1999 through June 30, 2000. We were able to issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by University of Wisconsin-Extension staff during the audit.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor